

REMARKS

Favorable reconsideration and withdrawal of the rejections set forth in the Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-5, 7, 8, and 10-13 remain pending, with Claims 1 and 13 being independent. Claims 6 and 9 have been canceled without prejudice to or disclaimer of the subject matter recited therein. Claim 1 has been amended. Support for the claim amendments can be found throughout the originally-filed disclosure. Therefore, Applicants respectfully submit the amendments recite no new matter.

Initially, the Office Action rejected Claim 1 under 35 U.S.C. § 101, as allegedly being directed to non-statutory subject matter. Specifically, the Office Action alleges the claimed invention is a series of components that are not necessarily tangibly embodied, as the claims may be interpreted as hardware and software, and software *per se* is not patentable. Applicants respectfully traverse this rejection, for the following reason.

Independent Claim 1, as amended, recites a computer system that includes “a computer readable storage medium for storing an executable program, the program including a plurality of components,” thereby tangibly embodying the component features of the computer system. For at least this reason, Applicants submit the claim features are now all tangibly embodied. Therefore, Claim 1, and the claims that depend therefrom, recite statutory subject matter under 35 U.S.C. § 101.

The Examiner is thanked for his withdrawal of the rejection of Claim 13 under 35 U.S.C. § 101.

Claim 13 was rejected in the Office Action under 35 U.S.C. § 103(a), as allegedly being unpatentable over Candella et al. (U.S. Patent Application Pub. No. 2005/0021476) in view of French (U.S. Patent Application Pub. No. 2003/0033526).

Applicants respectfully traverse this rejection. Applicants believe that Claim 13 recites features not disclosed or suggested by Candella et al. or French. Accordingly, Applicants submit the claims are allowable over Candella et al. and French, for at least the following reasons.

The Examiner relies on Candella et al. to disclose various elements, including assigning a positive weight for a successful confirmation of the relationships between a user identity with an account; assigning a negative weight for an unsuccessful confirmation of the relationships between the user identity with the account; and aggregating the positive and negative weights to determine the usage history of the user identity and a likelihood the user is correctly associated with the user identity.

Applicants respectfully disagree with this analysis of Candella et al. and the rejection. While the Examiner alleges that Candella et al. teaches the use of scoring engine that determines if a returned result is positive or negative, Applicants submit that Candella et al. does not teach that a positive weight is assigned for a successful confirmation of the user and account relationship. Rather, no value is assigned to a positive result. See, e.g., Candella et al., paragraph [0032] (noting that the risk score retains current value if a result is positive). As no positive values are assigned, no positives values can be aggregated in the aggregation step. See, e.g., Candella et al., Figure 4 (element 75, wherein a valid test = 0, which is not a positive number).

Applicants further submit French also fails to teach the assignment of a positive weight for a transaction. Accordingly, even if Candella et al. and French are taken collectively, the combination still fails to teach or suggest “assigning a positive weight for a successful confirmation of the relationships between [a] user identity with [an] account” and “aggregating [the] positive and negative weights to determine the usage history of a user identity” as recited in Claim 13 of the present application.

Claims 1-12 were rejected in the Office Action under 35 U.S.C. § 103(a), as allegedly being unpatentable over Bansal et al. (U.S. Patent Application Pub. No. 2003/0120593) in view of Benson et al. (U.S. Patent Application Pub. No. 2004/0225632), and in further view of Candella et al.

Applicants respectfully traverse this rejection. Nevertheless, without conceding the propriety of the rejection and solely to advance prosecution, Applicants have amended independent Claim 1 to further clarify features not disclosed or suggested by Bansal et al., Benson et al., or Candella et al. Accordingly, Applicants submit the claims are allowable over Bansal et al., Benson et al., and Candella et al., for at least the following reasons.

The Office Action alleges that Bansal et al. discloses various elements, including a registration component configured to facilitate gathering information from users and establishing a relationship between a user and an identity; and an ownership component configured to facilitate verification of the ownership of an account and to facilitate relating the ownership to the identity. Benson et al. is relied on to teach a servicing component configured to facilitate maintaining and modifying information relating to an identity. Candella et al. is further relied on for teaching an audit component configured to periodically facilitate monitoring an account and

an identity to verify the integrity of the relationship based on a hierarchical process, including determining a usage history of said identity based on at least one transaction deemed a successful or unsuccessful confirmation of the relationship between said identity and an account.

Applicants respectfully traverse this rejection based on the distinction made above with respect to Claim 13. To this end, with regards to former Claims 6 and 9, the Examiner relied on Candella et al. to teach assigning a positive weight for a successful confirmation of the relationships between a user identity with an account; assigning a negative weight for an unsuccessful confirmation of the relationships between the user identity with the account; and aggregating the positive and negative weights to determine the usage history of a user identity and a likelihood the user is correctly associated with the user identity. However, as noted above, there is no teaching of assigning positive weights to for a successful confirmation of the relationships between the user identity with the account. Nor does Bansal et al. or Benson et al. teach or suggest these features which are lacking in Candella et al. Therefore, Applicants submit Bansal, Benson, and Candella et al., do not disclose or suggest a system, as recited in Claim 1.

The other claims of this application are dependent from Claim 1, and, therefore, are patentable for at least the reasons set forth above. Since the dependent claims also define additional aspects of the invention, individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and passage to issue of the present application.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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